

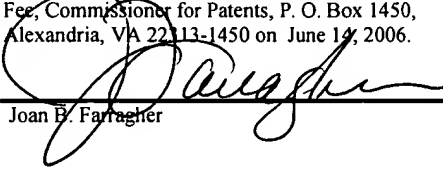


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/678,363
Applicants : Philippe Vivarelli
Filed : September 29, 2000
Art Unit : 2622
Examiner : Park, Chan S.
Docket No. : 013644.00019
Customer No. : 33649
Title : FAX OVER INTERNET PROTOCOL CLIENT DRIVER

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Joan E. Farragher

COMMENTS ON EXAMINER'S REASONS FOR ALLOWANCE

Dear Sir:

In regards to the Notice Of Allowance mailed March 15, 2006, it is noted that the Examiner has failed to provide any reasons why the noted difference between the allowed claims and the prior art is considered to define the allowed claims over the prior art, and the reason therefore is not clear in the record. For example, the Examiner states in the Reasons for Allowance that the claims are allowable because the prior art fails to disclose or suggest the particular structure and/or operations recited in the various claims. As such, the statement on the Reasons for Allowance fails to address the proper construction of the claims. As claim construction relies on the claims as a whole, the specification and the prosecution history, merely stating that the prior art fails to disclose or suggest the particular structure and/or operations

recited in the various claims fails to provide any reasons why the noted difference between the allowed claims and the prior art is considered to define the allowed claims over the prior art. Merely identifying a feature from the claims that is not present in the prior art fails to construe that feature in any meaningful way.

Dated: June 14, 2006

Respectfully submitted

JACKSON WALKER L.L.P.

By: 

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